

NOTICE OF PROPOSED ACTION

by the

U.S. Environmental Protection Agency (EPA) Region IX

Public Notice #: AZ-08-W-08

Public Notice Date: January 24, 2008

Comment Period Closes: February 23, 2008

The U.S. EPA is issuing a notice of proposed action under the Clean Water Act to reissue a National Pollutant Discharge Elimination System (NPDES) permit NM 0028584 to:

Consolidation Coal Company

Burnham Mines

PO Box 5666

Sesser, IL 62884.

CONSOL Burnham Mine is located in Burnham, San Juan County, New Mexico, within the northeastern portion of the Navajo Nation. The Burnham Mine is currently inactive and undergoing reclamation. There is only one constructed outfall that discharges out to Brimhall Wash, which is tributary to Chaco River, which is tributary to San Juan River

EPA is soliciting comments on the proposal. EPA will consider all comments received during comment period before taking final action. To submit comments, or to obtain additional information including the proposed permit and administrative record, please contact Richard Remigio at (415) 947-4113 or remigio.richard@epa.gov. Mail can also be sent to:

Richard Remigio

EPA Region IX (WTR-5)

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